

SECOND AMENDMENT AFTER FINAL
U.S. Appln. No. 09/428,458

REMARKS

Claims 40, 45 and 48-49 are now pending.

Claim 40 has been amended to delete the specific diseases.

Claim 43 has been cancelled.

Claim 45 has been amended to delete the specific diseases and to substitute therefor reference to enhancing T cell proliferation in a subject. Support for the amendment can be found, *inter alia*, in the Examples in the specification.

The amendments have been made pursuant to a teleconference with the Examiner on August 16, 2004, in order to place the application in condition for allowance.

Hence, the amendments to the claims do not constitute new matter, nor raise any new issues, and thus entry is requested.

In the Advisory Action dated July 30, 2004, the Examiner has withdrawn the prior art rejections, but has maintained her enablement rejection for the reasons noted in the attachment to the Advisory Action. Specifically, the Examiner contends the claims are directed to specific diseases that are not represented by the MAIDS mouse model, for example, AIDS for humans. The Examiner further contends that Claim 43, in particular, is directed to a broad scope of methods, none of which are directed to the method of the Declaration of June 19, 2002.

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Enablement of the amended claims, i.e., enhancing T cell proliferation is clearly supported by the evidence of record, as shown in the Table below:

COMPOUND	TEST			
	<i>IN VIVO</i>	<i>IN VITRO</i>	<i>IN VITRO</i>	<i>IN VITRO</i>
	June 19, 2002, Declaration Effect on anti-CD3 induced proliferation of MAIDS T-cells	June 19, 2002, Declaration Effect on proliferation inhibited human T cells Enhancement relative to Rp-8-Br-cAMPS	November 6, 2003, Declaration Antagonists effect on the PKA type I holoenzyme EC ₅₀ for suppression of activity	Specification effect on proliferation inhibited human normal and HIV T cells
Rp-8-Br-cAMPS	3-fold increase on treatment to near normal levels	1	1202 nM	Normal cells: reversion to normal proliferation HIV cells; reversion to higher than untreated proliferation levels (Fig. 3)
Rp-8-Br-MB-cAMPS	-	0.52	-	-
Rp-MB-cAMPS	-	-	156 μ M (Rp-cAMPS tested)	-
Rp-8-CPT-cAMPS	-	-	973 nM	-
Rp-PIP-cAMPS	-	-	1585 nM	-
Rp-8-Cl-cAMPS	-	0.78	1756 nM	-

In view of the amendments to the claims, the Examiner is requested to pass the case to issuance.

The Examiner is invited to contact the undersigned at his Washington telephone number on any questions which might arise.

Respectfully submitted,

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